

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

|                                |   |                           |
|--------------------------------|---|---------------------------|
| JOSEPH DUNBAR, #129278,        | ) |                           |
| Plaintiff,                     | ) |                           |
|                                | ) | No. 1:18-cv-617           |
| -v-                            | ) |                           |
|                                | ) | Honorable Paul L. Maloney |
| BRADLEY ROZEN, <i>et al.</i> , | ) |                           |
| Defendants.                    | ) |                           |
| _____                          | ) |                           |

**ORDER ADOPTING REPORTS AND RECOMMENDATIONS**

In this civil rights complaint filed by a prisoner under the control of the Michigan Department of Corrections, Defendants Rozen and Woldhuis filed a motion for summary judgment (ECF No. 116) and Plaintiff Dunbar filed a motion for a preliminary injunction (ECF No. 118). The magistrate judge issued two reports and recommendations. First, the magistrate judge recommends denying Plaintiff's motion for a preliminary injunction. (ECF No. 137.) Second, the magistrate judge recommends granting Defendants' motion for summary judgment. (ECF No. 138.) Plaintiff filed one document containing objections to both reports. (ECF No. 140.)

A.

After being served with a report and recommendation (R&R) issued by a magistrate judge, a party has fourteen days to file written objections to the proposed findings and recommendations. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(2). A district court judge reviews de novo the portions of the R&R to which objections have been filed. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(3). Only those objections that are specific are entitled to a

de novo review under the statute. *Mira v. Marshall*, 806 F.2d 636, 637 (6th Cir. 1986) (per curiam).

#### B. ECF No. 137 - Preliminary Injunction R&R

The magistrate judge found that Plaintiff did not sufficiently support the factual allegations (threats of some injury) with any specific or concrete evidence. Plaintiff's objection is, at best, perfunctory. Plaintiff merely disagrees with the magistrate judge and does not identify any specific or concrete evidence to support his claim for an injury. The objection is **OVERRULED**.

#### C. ECF No. 138 - Motion for Summary Judgment R&R

The magistrate judge found that that Plaintiff did not sufficiently support a claim for retaliation or the Eighth Amendment. On the other hand, Defendants had evidence indicating that they did not retaliate or violate the Eighth Amendment. Rather than objecting to any specific finding of fact or conclusion of law, Plaintiff raises concerns about claims not discussed in this report and recommendation. The other claims have been resolved against Plaintiff through other orders and they are not properly raised through objections to the factual findings here. The objection is **OVERRULED**.

D.

Accordingly, the Reports and Recommendations (ECF Nos. 137 and 138) are **ADOPTED** as the Opinions of this Court. Plaintiff's motion for a preliminary injunction (ECF No. 118) is **DENIED**. Defendants' motion for a preliminary injunction (ECF No. 116) is **GRANTED. IT IS SO ORDERED.**

Date: October 22, 2019

/s/ Paul L. Maloney  
Paul L. Maloney  
United States District Judge